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8 UNITED STATES DISTRICT COURT
9 DISTRICT OF NEVADA

10 ANTHONY R. BOYKINS, III,
11 Plaintiff,
12 v.
13 C/O FRANK BEEDLE, et al.,
14 Defendants.

Case No. 3:19-cv-00485-MMD-WGC

ORDER GRANTING

**MOTION FOR EXTENSION OF
TIME TO FILE MEDICAL RECORDS
AND DECLARATION (First Request)**

15 Defendants, by and through counsel, Aaron D. Ford, Attorney General of the State
16 of Nevada, and Rost C. Olsen, Deputy Attorney General, hereby move this Court for an
17 extension of thirty (30) days to file the relevant medical records and declaration from Dr.
18 Hanf regarding Plaintiff Anthony Boykins's (Boykins) medical conditions, as stated in the
19 Court's Order entered December 16, 2019. ECF No. 32.

20 **MEMORANDUM OF POINTS AND AUTHORITIES**

21 **I. RELEVANT PROCEDURAL AND FACTUAL HISTORY**

22 On December 13, 2019, this matter came before the Court for hearing, in which the
23 Court ordered Defendants to file relevant medical records and a declaration from Dr.
24 Hanf regarding treatment related to and the continuing status of Boykins's
25 throat/cervical spine issues and hernia. ECF No 32 at 4:3-7.

26 Subsequent to the hearing and entry of the Court's Order, undersigned counsel and
27 the Office of the Attorney General (OAG) have reached out and tried repeatedly to get
28 ahold of Dr. Hanf, but to no avail. Undersigned and the OAG continue their efforts to get

1 ahold of Dr. Hanf and obtain his Declaration and opinion as to which medical records are
2 relevant to the two underlying issues.

3 Undersigned and the OAG request the thirty (30) day extension with the
4 anticipation that they will be able to establish contact now that the holiday season is
5 passed.

6 **II. DISCUSSION**

7 Federal Rule of Civil Procedure 6(b)(1) governs extensions of time and provides as
8 follows:

9 When an act may or must be done within a specified time, the
10 court may, for good cause, extend the time: (A) with or without
11 motion or notice if the court acts, or if a request is made, before
12 the original time or its extension expires; or (B) on motion made
13 after the time has expired if the party failed to act because of
14 excusable neglect.

15 Here, Defendants submit there is good cause for the requested extension. Despite
16 the undersigned's and the OAG's diligent and continuing efforts in reaching out, they
17 have been unable to establish contact directly with Dr. Hanf to obtain the required
18 declaration. Undersigned and the OAG presume this failure is due, in part, to the holiday
19 season, and accompanying staffing shortages that occurred between the issuance of the
20 Court's Order and the January 10, 2020 deadline.

21 Accordingly, Defendants request an extension of thirty (30) days, until Monday
22 February 10, 2020, to file the required documents.

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1 **III. CONCLUSION**

2 For the foregoing, Defendants submit good cause exists, and requests the Court
3 extend the deadline to file the required documents to Monday February 10, 2020. This
4 request for an extension of time is made in good faith and not for the purpose of undue
5 delay.

6 DATED this 10th day of January, 2020.

7 AARON D. FORD
8 Attorney General

9 By: /s/ Rost C. Olsen
10 ROST C. OLSEN, Bar No. 14410
11 Deputy Attorney General

Attorneys for Defendant

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13 IT IS SO ORDERED.

14 DATED: January 13, 2020.

15 William G. Cobb
16 UNITED STATES MAGISTRATE JUDGE